

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 AUG -7 AM 10:46

UNITED STATES OF AMERICA,

Plaintiff,

v.

Angel MIRANDA-Reyes,

Defendant

Magistrate Docket No.

'08 MJ 2440

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

The undersigned complainant, being duly sworn, states:

On or about **August 6, 2008** within the Southern District of California, defendant, **Angel MIRANDA-Reyes**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT

James Trombley  
Senior Patrol AgentSWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7th DAY OF AUGUST, 2008

Louisa S. Porter

UNITED STATES MAGISTRATE JUDGE

DOA  
8/06/08  
9248

**CONTINUATION OF COMPLAINT:****Angel MIRANDA-Reyes****PROBABLE CAUSE STATEMENT**

On August 06, 2008, at approximately 3:00 p.m., Border Patrol Agent D. Ramirez was conducting line watch duties east of Tecate, California. Agent Ramirez responded to a citizen call at the Lake Morena Park Ranger Station in Lake Morena, California. This area is approximately nine miles east of the Tecate, California, Port of Entry, and five miles north of the United States/Mexico International Boundary.

Upon arrival in the area, Agent Ramirez identified himself as a United States Border Patrol Agent and questioned two individuals including one later identified as the defendant **Angel MIRANDA-Reyes**, as to their citizenship. Both individuals admitted to being citizens and nationals of Mexico without any immigration documents allowing them to enter or remain in the United States legally. At approximately 3:30 p.m., Agent Ramirez placed both subjects under arrest and transported them to the Tecate Processing Center in Tecate, California.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **August 12, 2003** through **Nogales, Arizona**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights and he was willing to make a statement without an attorney present. The defendant admitted to being a citizen and national of Mexico illegally present in the United States without any immigration documents allowing him to enter or remain in the United States legally. He also stated that his final destination was Los Angeles, California to visit his family members.